

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I hereby certify that this correspondence is being electronically filed with the United States Patent and Trademark Office on October 26, 2009 at or before 11:59 p.m. Pacific Time under the Rules of 37 CFR § 1.8.

Renne M.F. Wyzkowski
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Applicant : Jonathan J. Langberg, et al. Confirmation No. 2408
Application No. : 10/806,906
Filed : March 23, 2004
Title : PERCUTANEOUS MITRAL ANNULOPLASTY WITH
HEMODYNAMIC MONITORING
Grp./Div. : 3774
Examiner : Ann M. Schillinger
Customer No. : 30452
Docket No. : PVI-5813CIP1CON2-53763/E303

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Post Office Box 7068
Pasadena, CA 91109-7068
October 26, 2009

Commissioner:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Office action dated April 27, 2009 of the Primary Examiner's final action of claims 1-37.

 X A Petition for Extension of Time and the fee are enclosed.
 X Please charge our Deposit Account No. 03-1728 for \$540.00 to cover the fee for this appeal.
 A Small Entity Claim is enclosed.
 No fee is required for this Notice of Appeal because the fee was paid in a prior appeal.

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By *[Signature]*
Sasid Mirsafian, Reg. No. 52,035
Telephone: 626/795-9900